



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 14, 2017

**Via Electronic & First-Class Mail**

Email: [cspies@clarkhill.com](mailto:cspies@clarkhill.com)

Charles R. Spies, Esq.  
Clark Hill PLC  
601 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

RE: MUR 6798  
The Fund for Louisiana's Future, *et al.*

Dear Mr. Spies:

In separate letters dated March 25, 2014, the Federal Election Commission notified you and your clients, Courtney Guastella, Lisa Spies, and The Fund For Louisiana's Future and you, in your official capacity as treasurer, ("The Fund"), of a complaint alleging violations of 52 U.S.C. § 30125(e) [formerly 2 U.S.C. § 441i(e)], a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the complaint alleged that the respondents violated the "soft money" ban at 52 U.S.C. § 30125(e) by soliciting, raising and spending non-federal funds, and that The Fund was allegedly supporting then-Senator David Vitter in both federal and non-federal elections.<sup>1</sup> Copies of the complaint were forwarded to you and your clients at that time. On May 13, 2014, the Commission received a response filed on behalf of Guastella, Lisa Spies, and The Fund. In letters dated April 23, 2015, March 22, 2016, and April 20, 2017, we informed you that this matter was under review by the Office of the General Counsel; it has recently been forwarded to the Commission. The Commission has made no findings with respect to you or your clients but is presently considering this matter.

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<sup>1</sup> Section 30125(e)(1)(A) states: A candidate, individual holding Federal office, agent of a candidate or an individual holding Federal office, or an entity directly or indirectly established, financed, maintained or controlled by or acting on behalf of 1 or more candidates or individuals holding Federal office, shall not –

Solicit, receive, direct, transfer, or spend funds in connection with an election for Federal office, including funds for any Federal election activity, unless the funds are subject to the limitations, prohibitions, and reporting requirements of the Act.

Information contained in The Fund's disclosure reports, which the Commission reviewed in the normal course of exercising its supervisory responsibilities with respect to this matter, show that David Vitter for US Senate and William Vanderbrook in his official capacity as treasurer ("the Vitter Committee") provided funds in the amount of \$950,000 to The Fund from February 2014 to July 2015 (\$100,000 on February 14, 2014; \$740,000 on November 12, 2014; \$50,000 on December 31, 2014; and \$60,000 on July 10, 2015). These funds constituted a substantial percentage of The Fund's receipts and made the Vitter Committee the largest single contributor to The Fund. If the Commission determines that this provision of funds results in the Vitter Committee having "financed" The Fund within the meaning of 52 U.S.C. § 30125(e)(1), then The Fund could not permissibly raise or spend non-federal funds, and The Fund, Guastella, and Lisa Spies could be deemed to have violated 52 U.S.C. § 30125(e) by soliciting, raising and spending non-federal funds. Because the Complaint alleges that The Fund, Guastella, and Lisa Spies violated 52 U.S.C. § 30125(e) by soliciting, raising and spending non-federal funds, the information in The Fund's disclosure reports is related to the allegations in the complaint; as such, the Commission may choose to include the information in its consideration of this matter.

The Vitter Committee provided The Fund with almost all of the \$950,000 in question after the complaint and your and your clients' response in this matter were filed. The Commission is providing you and your clients with an opportunity to supplement the prior submission by responding to this information. Any response on your or your client's part is entirely voluntary. If the Commission chooses to include the new funding information in its considerations, it will also take into account any supplemental response that you or your clients may provide in determining whether to find reason to believe that you or your clients violated the Act. Should respondents elect not to submit a supplemental response, no adverse inference will be drawn from that decision.

If you or your clients choose to respond to this information, the Commission would appreciate such a response as soon as possible, but in any event, no later than 15 days after receipt of this letter. If you have any questions please contact Christine Gallagher, the attorney handling this matter, at (202) 694-1650.

Sincerely,



Kathleen Guith  
Associate General Counsel for  
Enforcement

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